

CALLED TO ORDER BY SUPERVISOR QUIGLEY, CHAIRMAN at 7:00 PM

SALUTE TO THE FLAG

A Moment of Silence and prayer for a speedy recovery was observed for Carol Bauer, long time Deputy Town Clerk who had a heart attack, surgery and was in recovery

ROLL CALL BY CLERK

TOWN COUNCILMAN JOEL B. BRINK
TOWN COUNCILMAN ERIC KITCHEN
TOWN COUNCILWOMAN CRIS HENDRICK
TOWN COUNCILMAN JOHN MORROW
SUPERVISOR JAMES QUIGLEY 3rd

Public Comments

Mr. Robert Barton inquired about hiring an employee for the parks and intern staff members. Supervisor Quigley stated that there is money in the budget to handle the costs of these items. A discussion about a cable franchise agreement occurred. The proposed agreement would be available for review at the Town Clerk's Office and on the Town Website.

APPROVAL OF MINUTES FROM PREVIOUS MEETING

Councilman Brink motioned to accept the minutes of June 3, 2010 and June 17, 2010
2nd by Councilwoman Hendrick
All Ayes

COMMUNICATIONS

Councilman Brink apologized for an incorrect statement during the last meeting in regard to a stop sign on Lawrenceville Street. He stated that he saw chalk marks on the road that he thought were from children and it was pointed out to him that it was from the utility company. Town Clerk Cosenza announced that the Annual Senior Picnic would be held on Thursday, July 29, 2010 at the Robert E. Post Park. Tickets are \$10.00 but would be free to residents of the town who are 62 years of age or over.

ABSTRACT OF CLAIMS

Councilman Kitchen motioned to approve the following:

FUND	CLAIM #	AMOUNT
UTILITIES		
GENERAL	701-725	5,651.46
ULSTER WATER	701-706a	4,146.82
HALCYON PK. WATER	701-702	580.69
SPRING LAKE WATER	701-703	225.36
BRIGHT ACRES WATER	701	264.06
GLENERIE WATER	701	30.00
EAST KINGSTON WATER	701	60.00
WHITTIER SEWER	701-702	546.50

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WASHINGTON AVE. SEWER	701-702	68.55
SPECIAL LIGHT	701-706	3,424.25
ALL OTHERS		
GENERAL	701-7106	131,768.03
HIGHWAY	701-719	8,829.06
ULSTER WATER	701-716	6,610.72
SPRING LAKE WATER	701	16,341.90
BRIGHT ACRES WATER	701-702	534.86
CHERRY HILL WATER	701	5,385.67
GLENERIE WATER	701	3,937.55
EAST KINGSTON WATER	701	1,950.57
WHITTIER SEWER	701-702	877.28
ULSTER SEWER	701-714	12,767.92
WASHINGTON AVE. SEWER	701	400.00
INSURANCE (ALL FUNDS)	701-722	127,172.83
CAPITAL PROJECTS		
TRUST & AGENCY	701-712	8,847.00
SENIOR CENTER CAP. PROJ.	701-717	62,936.22
TOTAL		\$ 403,633.46

2nd by Councilwoman Hendrick
A Roll Call Vote was taken – All Ayes

BUDGET MODS:

General Fund:	Modify Appropriation A7140.200 (Equipment) to be funded through A5110 (Approp.Reserve-Junior Football League) payment to Mid-Hudson Conference for insurance	682.00
	Modify Appropriation A7140.401 (Recreation Equip.Reserves) to be funded through A5110 (Approp.Reserve-Softball League) forfeit fees to Kathleen Jarvis, Paul Remick & Perry Von Ahnen	74.00
Ulster Water Fund:	Modify Appropriation SW1-1940.400 (Land Purchase) to be funded through SW1-5990 (Approp.Fund Bal.) land purchase from Tim Mauro Co.	115,443.94
	Modify Appropriation SW1-1940.400 (Land Purchase) to be funded through SW1-5990 (Approp.Fund Bal.)title insurance, deed recording and E&A form filing for purchase of Mauro Property paid to Universal Land Abstract	1,019.00
	Modify Appropriation SW1-1940.400 (Land Purchase) to be funded through SW1-5990 (Approp.Fund Bal.) legal services to Rusk, Wadlin Heppner & Martuscello for purchase of Tim Mauro property	750.00

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Ulster Sewer Fund:		Modify Appropriation SS2-8130.401 (Flowing Monitoring/Infiltration) to be funded through SS2-5990 (Approp. Fund Bal.) infiltration study expenses to Brinnier & Larios	1,740.00
Senior Center Cap. Proj:		Modify Revenue HSC-2705 (Gifts&Donations) and Appropriation HSC-8662.202 (Equipment-Furniture) donation from L.T. Begnal Motor Co.	100.00
Reversal	5/20/10	Decrease Appropriation HSC-8662.201(Construction-Town Share) and Revenue HSC-5031 (Interfund Transfer) partial payment to Sausto Contracting	11,000.00
General Fund	Transfer From:	Transfer To:	
	A9060.800 Hosp. & Dental	A9060.802 Retirees Hosp. & Dental	66,500.00
	A1355.200 Equipment	A1355.403 Office Supplies	700.00
	A1990.400 Contingency	A1622.409 Repairs & Supplies	200.00
	A1990.400 Contingency	A1622.454 Maintenance	300.00
	A1990.400 Contingency	A1920.400 Dues	42.00
	A8160.200 Equipment	A8160.420 Gas & Oil	500.00
Highway Fund	D9060.800 Hosp. & Dental	D9060.802 Retirees Hosp.& Dental	8,700.00
	D9060.804 Hosp. & Dental	D9060.802 Retirees Hosp.& Dental	8,700.00
Ulster Water District	SW1-9060.800 Hosp. & Dental	SW1-9060.802 Retirees Hosp. & Dntl	3,540.00
Whittier Sewer	SS1-8130.409 Repairs & Supplies	SS1-8130.200 Equipment	3,000.00
	SS1-8130.409 Repairs & Supplies	SS1-8130.451 Chemicals	1,000.00
Ulster Sewer 2 nd by Councilman Kitchen All Ayes	SS2-9060.800 Hosp. & Dental	SS2-9060.802 Retirees Hosp.&Dntl	5,295.00

Resolution to confirm Abandonment and to convey abandoned Town roadway to abutting property owners

Councilman Kitchen motioned to approve the following:

RESOLUTION TO CONFIRM ABANDONMENT AND TO CONVEY ABANDONED TOWN ROADWAY TO ABUTTING PROPERTY OWNERS

WHEREAS, Frank Petramale, Superintendent of Highways in the Town of Ulster has duly certified in writing that a portion of Orlando Street and Esopus Avenue, an unimproved street in the Town of Ulster, is no longer necessary or useful for public purposes, and

WHEREAS, certain owners of the abutting property have applied for an abandonment of said highway, and

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WHEREAS, the owners of all the abutting land thereto have consented to an abandonment thereof, and

WHEREAS, an abandonment is proper and will not cause injustice or hardship to the owners or occupants of any lands adjoining said highway or the public or residents of the Town of Ulster,

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That a portion of Orlando Street and Esopus Avenue, as further described in Schedule "A", be and the same hereby is, abandoned at the request of Frank Petramale, Superintendent of Highways in the Town of Ulster, and at the request of all the abutting property owners, and Frank Petramale is to proceed in accordance with and to mark on the official highway map of the Town of Ulster, the abandonment of said portion of the roadway which is hereby consented to.
2. That the property abutting said highway shall be conveyed to the abutting owners, Vincent Organtini [Esopus Avenue] and Lovo, Inc. [Orlando Street], by Quitclaim Deed, and have it be annexed to their respective parcels.
3. That the Town Supervisor, James E. Quigley 3rd, be authorized to execute a Quitclaim Deed of all the Town's right, title and interest to the property abandoned to the contiguous owners.
4. Delivery of the appropriate Quitclaim Deed shall be subject to (1) obtaining a release from the property owner of any claim for damages by reason of the abandonment of the highway; and (2) payment by Vincent Organtini and Lovo, Inc. to the Town of Ulster the total sum of \$450.00.
5. That this Resolution approving said abandonment and conveyance is subject to a permissive referendum.

2nd by Councilman Brink
All Ayes

Local Law amending Article II of Chapter 190 of Town Code

Councilman Morrow moved to adopt the following Local law. The motioned was seconded by Councilwoman Hendrick. A vote was taken – All Ayes

TOWN OF ULSTER
Local Law No. 2 of 2010

A Local Law Providing for the Adoption of a New Article II of Chapter 190 of the Town Code

Be it enacted by the Town Board of the Town of Ulster as follows:

Section I. Repeal of Current Article II [Sections 190-3 & 190-4] of Chapter 190 of the Town Code

The current provisions of Article II of Chapter 190 of the Code of the Town of Ulster are hereby repealed.

Section II. A new Article II of Chapter 190 is hereby enacted as appears in Schedule "A" attached hereto.

Section III. Severability

If any clause, sentence, paragraph, section, article or part of this Local Law shall be adjudicated in any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, article or part thereof directly involved in the controversy in which such judgment shall have been rendered, and such invalidity shall not be deemed to affect the remaining portions thereof.

Section IV. Effective Date

This Local Law shall be effective as provided by law, upon filing and acceptance by the New York State Secretary of State.

SCHEDULE "A"

**ARTICLE II
Terminology**

§ 190-3. Word Usage

- A. Unless the context clearly indicates otherwise, words used in present tense include future tense; words used as singular include plural; and words used in plural include singular.
- B. The words "herein" and "requirement" mean "in and of this law." "Person" includes a corporation, partnership, association, club or any other group "Shall" is always mandatory; "building" includes a structure or any part thereof, "used" or "occupied" as applied to land or building is construed to include the words "intended, arranged for or designed to be used or occupied." The "town" is the Town of Ulster in Ulster County in New York State.

§ 190-4. Definitions

ACCESSORY - The term applied to a structure or use which is clearly incidental and subordinate to, and customary in connection with, the principal structure or use. It must be located on the same lot. Any accessory structure attached to a principal structure is part of the main structure for bulk requirements.

ACCESSORY APARTMENT - A completely independent dwelling unit with separate cooking, eating, sanitation and sleeping facilities that is either in or added to an existing single-family dwelling or in a separate accessory structure on the same lot as an existing dwelling.

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ADULT ARCADE - An establishment where, for any form of consideration, one (1) or more motion-picture projectors, slide projectors or similar machines are available and are used to show films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by emphasis upon the depiction or description of specified sexual activities or specified anatomical areas. For the purposes of this chapter, "adult arcade" is included within the definition of "adult motion-picture theater."

ADULT BOOKSTORE - An establishment or business, whether retail or wholesale, having more than 20% of its stock in trade (recordings, books, magazines, periodicals, films, video tapes/cassettes or other audio or viewing materials) for sale or rent for viewing or use only off the premises, which stock is distinguished or characterized by its emphasis on matter depicting, describing, or relating to sexual activities or sexual anatomical areas.

ADULT BUSINESS - Any establishment or business involved in the dissemination of material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, including but not limited to Adult Arcades, Adult Bookstores, Adult Theaters and Adult Entertainment Cabarets.

ADULT ENTERTAINMENT CABARET - An enclosed building or structure or portion of a building or structure used for presenting film or similar materials or performances by live persons having as a dominant theme material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.

AGRICULTURAL OPERATION - Any management of any land for agriculture; raising of cows, horses, pigs, poultry and other livestock; horticulture or orchards; including the sale of products grown or raised directly on such land, and including the construction, alteration or maintenance of fences, agricultural roads, agricultural drainage systems and farm ponds.

AIRPORT - A place where aircraft can land and take off, usually equipped with hangers, facilities for refueling and repair, and various accommodations for pilots and passengers.

ALTERATION - Any change or rearrangement of the supporting members of an existing structure, such as bearing walls, columns, beams, girders and fire walls or any enlargement or diminution of a structure, whether horizontally or vertically, or the moving of a structure.

ASSITED LIVING FACILITY - Residences for the frail or frail elderly that provide rooms, meals, personal care, and supervision of self-administered medication. They may provide other services, such as recreational activities, financial services, and transportation.

AUTOMOTIVE GARAGE AND SERVICE CENTER - Any building or portion thereof servicing and repairing automobiles; and including as an accessory use the sale and/or installation of lubricants, tires, batteries, mufflers, and similar vehicle accessories.

AUTOMOTIVE SALES AND SERVICE - The use of any building, land area, or other premise principally for the display, sale, rental, or lease of new or used automobiles (but may include light trucks or vans, trailers, or recreational vehicles), and including any vehicle preparation, warranty, or repair work conducted as an accessory use.

BED & BREAKFAST ESTABLISHMENT - Owner occupied one-family dwelling used for providing overnight accommodations that may include a morning meal to transient lodgers, containing not more than five bedrooms for such lodgers.

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BUFFER - An area of specified dimension extending between the property line and a permitted structure or use which shall remain in a natural state or be improved with landscape materials and fences as may be required under approval. It shall not be used or encroached upon by any activities, and it shall provide adequate separation and protection from inharmonious or incompatible uses.

BUILDING - Any structure having a roof supported by columns or walls and intended as a shelter, housing or enclosure for any person, animal, process, equipment, goods or materials.

BUILDING HEIGHT - The maximum vertical distance from the elevation of the proposed finished grade to the highest part of a flat roof and to the mean height between the eaves and ridge for a gable, hip or gambrel roof. (Refer to § 190-21.)

BUILDING PERMIT - Means the written authorization issued by the Town Building Inspector to an applicant to perform certain work after complying with this and other laws as required.

BULK, NONCOMPLYING - See 'non-complying bulk.

CAMPGROUND - A plot of ground on which two or more campsites are located, established, or maintained for occupancy by camping units as temporary living quarters for recreation and vacation purposes.

CEMETARY - Land used for the internment of human remains, including a burial park for earth interments, which may include a mausoleum for vault or crypt interments, operated for a not-for-profit organization.

CERTIFICATE OF COMPLIANCE - A written instrument issued by the Building Inspector showing compliance with this chapter as of the date of the last inspection, permitting the receiver of this certificate to occupy or use the premises.

COLLEGE or UNIVERSITY - An educational institution authorized by the State of New York to award associate, baccalaureate, or higher degrees.

COMMUNITY FACILITY - A structure or use owned and operated by a public or semipublic agency to provide a community service.

COMPREHENSIVE PLAN - The Town of Ulster Comprehensive Plan, prepared pursuant to § 272-a of the Town Law and adopted by the Town Board on July 2, 2007 including any amendment thereto hereafter adopted.

CONVENIENCE STORE - Establishments that deal in retail sales of convenience goods. primarily food products, household items, newspapers and magazines, candy and beverages, and a limited amount of freshly prepared foods such as sandwiches and salads for on or off-premises consumption and that may include the ancillary sale of gasoline and diesel for automobiles.

CONTRACTORS STORAGE YARD - A lot or portion of a lot or parcel used to store and maintain construction equipment and other materials and facilities customarily required in the building trade by the construction contractor.

COVERAGE - The percentage of the area of a lot covered by buildings and accessory structures.

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DAY CARE, ADULT – A facility providing care for elderly and/or functionally impaired adults in a protective setting for part of a 24-hour day.

DAY CARE, CENTER FOR CHILDREN – A facility licensed or authorized and regulated by the State of New York Department of Social Services or other state agency having a jurisdiction where care is provided, for more than five hours per week, for three or more children away from their own homes for less than 24 hours per day in a facility which is operated for such purposes.

DESIGN HOUR - The measure of volume or capacity during a sixty-minute period, in order of rank for a calendar year. For the purpose of this chapter, the 30th rank-hour volume or capacity shall be deemed to be the “design hour” unless otherwise stated.

DEVELOPMENT - Any man-made change to improved or unimproved real estate, including but not limited to structures, excavations, commercial tree harvesting/clearing, mining, dredging, filling, grading, paving, drilling operations or placement of material or movable structures in a special flood hazard area.

DWELLING, ATTACHED - A one-family dwelling with ground floor outside access, attached to two or more one-family dwelling by common vertical walls.

DWELLING, DETACHED - A dwelling that is not attached to any other dwelling by any means.

DWELLING, DUPLEX (TWO-FAMILY) - A residential building on a single lot containing two single-family dwelling units totally separated from one another by an unpierced wall extending from the basement to roof.

DWELLING, MULTIFAMILY - A building containing four (4) or more dwelling units, including units that are located over one another.

DWELLING, RESIDENCE-ABOVE-THE-STORE - A dwelling unit situated above a non-residential use that is situated on the first floor of a multi-story building.

DWELLING, SINGLE-FAMILY DETACHED - A building containing one dwelling unit and that is not attached to any other dwelling by any means and is surrounded by open space or yards.

DWELLING, TOWNHOUSE (SINGLE-FAMILY ATTACHED)- A one-family dwelling in a row of at least three (3) such units in which each unit is located on a separate lot, has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more vertical common fire-resistant walls.

DWELLING, TRIPLEX (THREE-FAMILY) - A building containing three dwelling units, each of which has direct access to the outside or to a common hall.

DWELLING UNIT - One or more rooms, designed, occupied, or intended for occupancy as separate living quarters, with cooking, sleeping, and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household.

EXCAVATION (COMMERCIAL) OF NATURAL RESOURCES - The removal of stone, sand, gravel, minerals or other natural material, except topsoil incidental to an approved site plan or subdivision, for the purpose of sale or any other commercial purpose, other than that which is incidental to excavation necessary under an approved site plan.

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ELEEMOSYNARY USE – A charitable organization.

FAMILY - A group of persons living together as a single not-for-profit housekeeping unit, whether or not related.

FARMING - A parcel of land used mainly for the production of agricultural products. The commercial keeping of livestock, including horses, cattle or poultry, is a separate use.

FARMERS MARKET – The seasonal selling or offering for sale at retail of vegetables or produce, flowers, orchard products, cheese, maple syrup, honey, and similar agricultural products, where the vendors are individuals who have raised the vegetables or produce and have taken the same on consignment for retail sale. Such markets shall be sponsored by a not-for-profit organization.

FARMING OPERATION - The land and on-farm buildings, equipment, manure processing and handling facilities, and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise, including a horse boarding operation. Such farm operation may consist of one or more parcels of owned or rented land, which parcels may be contiguous or noncontiguous to each other.

FARM STAND – A temporary structure designed or used for the display or sale of agricultural products primarily produced on the premises upon which such stand is located.

FENCE - An unroofed barrier or enclosing structure, including retaining wall over three (3) feet in height.

FLAG LOT - A lot shaped like a flag where the road frontage is less than the required width of the property to be developed. Minimum road frontage for residential use is twenty (20) feet. The front setback shall be measured from the terminus of the flag pole where it enters the flag lot.

FLEA MARKET – An occasional or periodic market held in an open area or structure where groups of individual sellers offer goods for sale to the public other than as allowed in a farmer's market. Flea markets are not permitted within the Town of Ulster.

FLOODWAY - The channel of a natural waterway and portions of the floodplain adjoining the channel, which are reasonably required to carry and discharge the flood flow of a natural waterway.

FLOOR AREA, NET - The sum of the horizontal area of a structure proposed to be used as a floor, and not including basements or attics, measured from the inner faces of exterior walls.

FLOOR AREA, GROSS – The sum of the gross horizontal areas of all enclosed floors of a building, including cellars, basements, mezzanines, penthouses, corridors, lobbies from the exterior face of exterior walls, or from the centerline of a common wall separating two buildings, but excluding any space with a floor-to-ceiling height of less than 6 feet 6 inches.

FOOT-CANDLE – A foot-candle is a quantitative unit measuring the amount of light falling on a surface, all points of which are one foot from a uniform point source of one candle.

FORESTRY OPERATIONS – The operation of timber tracts, sawmills, tree farms, forest nurseries, the gathering of forest products, or the performing of forest services.

FORESTRY - The operation of timber tracts, tree farms or commercial logging.

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FRATERNAL ORGANIZATION – A group of people formally organized for a common interest, usually cultural, religious, or entertainment, with regular meetings, rituals, and formal membership requirements.

FRONTAGE - The linear horizontal distance measured along the full length of a street line abutting the lot.

FULL CUT-OFF FIXTURE – A lighting fixture constructed so that all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the fixture, is projected below an imaginary horizontal plane passing through the lowest point on the fixtures from which light is emitted. Any structural part of the light fixture providing this shielding must be permanently affixed.

GASOLINE SERVICE STATION aka AUTOMOTIVE GASOLINE SALES - A business providing for the sale of gasoline which may include automotive repairs or a convenience store.

GREEN SPACE - That area of a lot, expressed as a percentage, which is to be kept in a vegetative or landscaped state, including gardens, ponds, floodway, wetlands, streams, shrub beds, lawns, woods or fields, in order to enhance the project both visually and environmentally.

GROUP HOME – A non-profit or for-profit boarding home for sheltered care of persons with special needs, which, in addition to providing food and shelter, may also provide some combination of personal care, social or counseling services, and transportation.

HEALTH CLUB - An establishment that provides facilities for aerobic exercises, running and jogging, exercise equipment, game courts, swimming facilities, and saunas, showers, massage rooms and lockers.

HOME OCCUPATION - An activity carried out for gain by a resident conducted entirely within the residence in which the resident resides that is clearly incidental and secondary to the primary use of the premises for residential purposes.

HOTEL or MOTEL – A facility offering transient lodging accommodations to the general public and which may include additional facilities and services, such as restaurants, meeting rooms, entertainment, personal services and recreational facilities. In a hotel rooms are accessed from an interior hallway wherein rooms in a motels have access to an exterior sidewalk or balcony.

INDUSTRY, HEAVY – Industry not classified under “light industry”, including primary production of lumber and wood products and mining with processing, but excluding animal slaughtering and rendering plants; incineration activities; smelters; ore refining; industrial kilns with input of over ten (10) MBTU's per hour; paper mills; and chemicals, petrochemicals and allied products which are prohibited.

INDUSTRY, LIGHT – A use engaged in the fabrication, predominantly from previously prepared materials, of finished products or parts, including processing, assembly, treatment, packaging, and incidental storage, sales, and distribution of such products, but excluding manufacturing, recycling, refuse and scrap metal facilities, waste-to-energy facilities and asphalt plants.

INSTITUTIONAL USE – A nonprofit or public use, such as a library, hospital, or government-owned or –operated building, structure, or land used for public purpose.

JUNKYARD - An area of land, with or without buildings, used for the depositing, collecting or storing, outside of a completely enclosed building, of used or discarded materials, such as wastepaper, rags or scrap material or used building materials, house furnishings, machinery, vehicles or their parts, and processing salvage, for sale or other use or disposition of the same. Outside storage of more than one (1)

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wrecked or broken down vehicle, or parts there from, for two (2) or more weeks in a 6-month period constitutes a "junkyard". "Junkyards" require a special permit and annual license under § 190-25G.

KENNEL - A commercial place or establishment for the care, boarding and/or breeding of four or more dogs.

LIGHT TRESPASS - Light produced by a fixture that illuminates a surface beyond the boundaries of the property on which it is located.

LIVESTOCK KEEPING - The keeping, fattening or breeding of various forms of farm, ranch and preserve animals including but not limited to alpacas, bison, buffalo, dairy and beef cattle, deer, equines, goats, hogs, llamas, poultry, rabbits, ratites, sheep and other farm animals raised as a source of income or as a novelty.

LOT - A designated parcel, tract or area of land established by a filed plat or subdivision or as otherwise permitted by law.

LOT AREA - The total horizontal area included within the property lines of a lot or multiple lots under common ownership restricted from separate conveyance, excluding any rights-of-way or other reservation. Underwater land may account for up to twenty percent (20%) of the required minimum "lot area" pursuant to this chapter. Land in a floodway [see (FHBM) Floodway Map latest revision] or regulated wetland [see Department of Environmental Conservation (DEC) Regulatory Wetland Map, latest edition] shall not constitute "lot area" except for farming, the keeping of livestock and green space.

LOT, CORNER - A lot at the junction of or abutting on two (2) or more intersecting streets where the interior angle of intersection does not exceed one hundred thirty-five degrees (135'). A lot abutting a curved street shall be deemed a "corner lot" if the tangents to the curve at the Points of the intersection of the side lots with the street line at an interior angle of less than one hundred thirty-five degrees (135').

LOT WIDTH - The minimum horizontal distance between the side lot lines measured at right angles to its depth, parallel to the front line, at the building line.

MANUFACTURING - The use engaged in the preparation and assembly, predominantly from previously prepared materials, of finished products, including packaging, storage and sales.

MANUFACTURED HOME - A structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used as a dwelling unit when affixed to a permanent foundation or placed on a concrete slab and connected to the required utilities. Manufactured homes are built to the U.S. Department of Housing & Urban Development standards.

MANUFACTURED HOME PARK - A site with required improvements and utilities for long-term parking of mobile homes as dwelling units.

MARINA - A facility for the storing, servicing, fueling, berthing, and securing of boats and which may include eating, sleeping, and retail facilities for owners, crews and guests.

MINING - the extraction of overburden and minerals from the earth; the preparation and processing of minerals, including any activities or processes or parts thereof for the extraction or removal of minerals from their original location and the preparation, washing, cleaning, crushing, stockpiling or other processing of minerals at the mine location so as to make them suitable for commercial, industrial, or construction use; exclusive of manufacturing processes, at the mine location; the removal of such materials through sale or exchange, or for commercial, industrial or municipal use; and the disposition of

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overburden, tailings and waste at the mine location. Mining shall not include the excavation, removal and disposition of minerals from construction projects, exclusive of the creation of water bodies, or excavations in aid of agricultural activities.

MODULAR HOME – A home that is constructed to New York State Building Code standards, partially assembled in a factory and transported to a home site in a minimum of two sections, each of which are transported to building site separately, with installation of heating system and application of siding coming after erection of the home, and which is indistinguishable in appearance from conventionally built homes.

MUSEUM – A permanent facility in the service of society and of its development, open to the public, which acquires, conserves, researches, communicates and exhibits the heritage of humanity and its environment, for the purposes of education, study, and enjoyment.

NONCOMPLYING BULK - That part of a structure or land use that does not comply with one (1) or more of the bulk requirements herein.

NONCONFORMING USE - Any use of structures or land, which does not conform to the full intent and extent of this chapter.

NURSERY SCHOOLS - A private school or facility designed to provide daytime care or instruction for more than one (1) nonresident, preschool child, unrelated to the provider.

NURSERY, RETAIL - The growing, cultivation, storage, and sale of garden plants, flowers, trees, and shrubs and fertilizers as well as the sale of garden tools and similar ancillary and accessory products to the general public.

NURSERY, WHOLESALE - The growing, cultivation, storage, and sale of garden plants, flowers, trees, and shrubs to landscapers, developers, builders, and retail nurseries.

OFFICE – A building used primarily for conduction the affairs of a business, profession, service, industry, or government, or like activity.

OFFICE COMPLEX - A development on a tract of land that contains a number of separate office buildings, with accessory and supporting services, and open space designed, planned, constructed, and managed on an integrated and coordinated basis.

OFFICIAL MAP - The map established by the Town Board pursuant to § 270 of Town Law, showing streets, highways, parks and drainage systems, both existing and proposed.

PHOTOMETRIC PLOT - A photometric plot is a diagram depicting the location of all light poles and building mounted lighting fixtures that contribute to area lighting, and numeric foot-candle values for maintained lighting levels which may be represented in a point-by-point grid or an iso-lumen plot depicting contour lines of equal light level.

PRINCIPAL USE OR STRUCTURE - The primary use of land, as distinguished from a secondary or accessory use, and the building or structures in which such use is conducted.

RECREATION FACILITY - A recreational facility operated as a business and open to the public that may be conducted entirely indoors such as a roller skating rink, video arcade or bowling alley or partially out-of-doors such as miniature golf course, golf driving ranges, or batting cages.

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RECREATIONAL VEHICLE - A vehicular-type portable structure without permanent foundation which can be towed, hauled or driven and is primarily designed as temporary living accommodation for recreational camping and travel use, and including but not limited to travel trailers, truck campers, camping trailers and self-propelled motor homes. A "recreational vehicle" is not a mobile home as defined herein.

RECYCLING YARD – A facility upon which used materials are separated and sorted for shipment to a manufacturing facility where these materials are transformed into new products. A recycling yard may involve the mechanical transformation of materials through crushing, shredding or compacting but the chemical transformation of materials shall be prohibited.

RESIDENTIAL TREATMENT CENTER - A facility designed to house, treat, and educate children or young adults within an environment that is supervised 24 hours a day, 7 days a week.

RESTAURANT – Any establishment primarily offering sit-down dining for sale and consumption of food and drink on-premises.

RESTAURANT, TAKE OUT – Any establishment primarily offering, for sale, take-out food and drink for consumption off-premises including commercial food stands.

RETAIL BUSINESS – A use devoted principally to the sale of goods or commodities in small quantities directly to consumers.

RIDING ACADEMY – An establishment where horses are boarded and cared for and where instruction in riding, jumping, and showing is offered and where horses may be hired for riding.

SCHOOL OF LEARNING – Any building or part thereof that is designed, constructed, or used for education or instruction within a classroom environment in any branch of knowledge including, but limited to, business and trade schools, schools of art, dance theater and the martial arts as well as academic institutions.

SCREEN or SCREENING:

- A. A strip at least ten (10) feet wide, densely planted or having natural growth, with shrubs or trees at least four (4) feet tall at the time of planting, of a type that will form a year-round dense screen at least six (6) feet high within three (3) years.
- B. An opaque wall or barrier or uniformly painted fence at least six (6) feet high.
- C. Any other island, barrier, emplacement, wall, fence, trees, planting or other artificial or natural dividing strip which is part of a conditional approval for a site plan or special permit use.

SELF-STORAGE FACILITY – A public facility for storage of personal, household or business property which is serviced by the owner of the stored property or an agent of the owner for periods of at least **30** days or greater. The term "self-storage facility" includes all similar uses and terms but shall not be construed to mean warehouse.

SENIOR CITIZEN HOUSING - A building or group of buildings, whether detached or connected, containing dwellings that are designed and operated for occupancy by persons who are elderly or disabled as defined under applicable state or federal programs designed for such persons of at least 62 years of age if no such program is applicable. Such housing may include common areas in multifamily dwellings owned and managed by a single management entity, together with normal and customary ancillary

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facilities or services for use by older persons.

SERVICE BUSINESS – A use devoted principally to the sale of services directly to consumers.

SETBACK - The minimum distance between a principal structure or use and the property line or street line of the lot.

SETBACK, FRONT - The minimum distance set back from the front property line or street line, whichever is greater.

SETBACK, REAR - The setback to the rear lot line.

SETBACK, SIDE - The setback to any property line other than a front or rear lot line.

SEWER SERVICE, APPROVED - The provision of a central sewage disposal system designed and constructed to standards approved by the Town Board for municipally operated systems. It may be privately owned and operated, provided that an irrevocable offer of dedication is made to the town in the event that public operation is required by corporate default.

SHIELDED, SHIELDING – Components that serve to obscure direct view of the light source, or to prevent *skyglow* and *light trespass*, and may be either opaque or translucent. Shielding includes components internal and/or external to the fixture. Internal shielding includes reflective hoods, louvers, refractors, diffusers (either surrounding the lamp or as part of the enclosure, such as patterned or opal glass). External shielding includes attached opaque shields, architectural elements, and landscaping elements.

SHOPPING CENTER – A group of commercial establishments planned, constructed, and managed as a total entity, with customer and employee parking provided on-site, provision for goods delivery separated from customer access, aesthetic considerations and protection from the elements, and landscaping and signage in accordance with an approved plan.

SIGN – Any material, structure or device or part thereof composed of lettered or pictorial matter or upon which lettered or pictorial matter is placed when used or located out of doors or outside or on the exterior of any building, including window display area, for display of an advertisement, announcement, notice, directional matter or name, and includes sign frames, billboards, signboards, painted wall signs, hanging signs, illuminated signs, pennants, fluttering devices, projecting signs or ground signs, and shall also include any announcement, declaration, demonstration, display, illustration or insignia used to advertise or promote the interests of any person or business when the same is placed in view of the general public.

- (1) **ACCESSORY SIGN**- Any sign related to a business or profession conducted or to a commodity or service sold or offered upon the premises where such sign is located.
- (2) **ANIMATED OR INTERMITTENT SIGN** – Any sign that uses movement or change of lighting to depict action or create special effect or scene.
- (3) **A-FRAME** - A specific type of portable sign which is typically constructed with two opposing faces, connected at the top and separated at the bottom, sometimes referred to as a "sandwich board".

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- (4) **AWNING** - a roof-like covering of canvass, fiberglass or other material attached to a metal or other frame and supported entirely by a building or structure.
- (5) **BANNER**- A temporary sign composed of lightweight material either enclosed or not enclosed in a rigid frame, secured or mounted so as to allow movement of the sign caused by movement of the atmosphere.
- (6) **BILLBOARD (OFF PREMISES ADVERTISING)** -Any outdoor advertising board medium, structure or device which advertises, directs or calls attention to any business, article, substance, service or anything which is painted, printed, pasted or affixed to any building, structure, wall, fence, pole, railing, natural object or structure of any kind on real property or upon the ground itself and which advertises services, products or commodities not available on the premises on which the "billboard" is located.
- (7) **CANOPY SIGN** – Any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.
- (8) **FREESTANDING SIGN** - Those signs that are affixed to the ground and not attached to the building.
- (9) **ICONIC SIGN** - A sign which is a traditionally accepted pictorial symbol conveying the nature of the business, normally constructed in heavy relief or is three-dimensional.
- (10) **INTERIOR SIGN** - Any sign, except address numbers that are affixed to or painted on the interior of a window or door or located within three feet of the inside face of the window or a door, which sign is designed to be visible from the exterior of the window or door.
- (11) **MOBILE SIGN** - A sign not permanently affixed to a structure or to the ground or designed or intended to be moved from one location to another including signs on wheels or trailers, sandwich boards and similar non-permanent signs. (See also "temporary sign").
- (12) **MARQUEE SIGN** – A sign of permanent construction that projects from a wall of a building above the entrance projecting from and supported by the building.
- (13) **MONUMENT SIGN** – A freestanding sign either affixed to a base on the ground or mounted on short poles no greater than two (2) feet high.
- (14) **PENNANT** – Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.
- (15) **PERMANENT SIGN** – Any sign intended and installed to be permanently in place at a given location by means of suitable fastening to a building or to a structure specifically erected to hold such sign (s) or to the ground.
- (16) **POLE SIGN** – A freestanding sign that is mounted on a pole or other support so that the bottom edge of the sign is five (5) feet or more above grade.

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- (17) PROJECTING SIGN - A sign which is affixed to an exterior wall of a structure extending perpendicular or at an angle of more than 30' to the wall plane.
- (18) ROOF SIGN - A sign which is erected, constructed or maintained on, partly above or as part of the roof or parapet of any building.
- (19) SANDWICH BOARD - (see A-FRAME)
- (20) TEMPORARY SIGN - TEMPORARY SIGN - A sign which is designed to advertise or announce a particular event or series of events, to solicit political support or to announce the availability for sale of a particular item or items which will be available for a limited period.
- (21) WALL SIGN - A sign which is affixed to or painted on an exterior wall of a structure and in the same general plane as the wall.
- (22) WINDOW SIGN - A sign permanently installed on a window for purposes of viewing from the outside of the premises. This term does not include merchandise located in the window.

SKYGLOW - The adverse effect of brightening the night sky due to man-made lighting, caused either by direct upward light emission, light reflected off illuminated surfaces, or scattering due to haze.

STREET, DEAD-END - A street or a portion of a street with only one (1) vehicular traffic access.

STREET LINE - The property or reservation line between the street and a lot. The reservation line is established at twenty-five (25) feet from the centerline of the travel way of a local street and at thirty (30) feet from the centerline of state and county roads, or other major road, unless the property line is at a greater distance.

STREET or ROAD - A street, improved to the satisfaction of the town or Planning Board, which is one (1) of the following: an existing town, county or state highway; a street shown on an approved subdivision final plat; or a street shown on an Official Map of the town, or is approved by the Town Board under § 280-a of the Town Law.

STREET or ROAD, ARTERIAL - A street that connects and distributes traffic to and from *major roads*, with access control, channelized intersections and restricted parking.

STREET or ROAD, LOCAL - A street that is intended to serve primarily as an access to abutting properties.

STREET or ROAD, MAJOR - A street which serves or is designed to serve as a traffic way for a neighborhood or as a feeder to an arterial road. A fully improved "major road" is one that is complete both by virtue of required right-of-way and by physical construction to the standard of a "major road." All state or county roads are "major roads" for establishing a street line.

STRUCTURE - Anything constructed with a fixed location on the ground or attached to something already in a fixed location.

SUBDIVISION - The division of any parcel of land into two (2) or more sections with or without streets and includes resubdivision.

SWIMMING POOL - Any constructed body of water or structure to contain water volume exceeding

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thirty-five (35) cubic feet, and related equipment pertaining thereto, whether or not operated for gain.

THEATER - A building or part of a building used to show motion pictures or for drama, dance, musical or other live performances.

THROUGH LOT - A lot which is not a corner lot and which has two street lines.

UNDERWATER - Land is "underwater" where it is so depicted in the United States Geological Map of the town or where it is within channel lines of a classified stream (DEC); or where the land is classified as "muck soils" by the United States Soil Conservation Service based on field investigations. Lands submerged or to be submerged by artificial impoundments are deemed "underwater" under this chapter.

VETERINARIAN CLINIC - A place where animals are given medical care and the boarding of animals is limited to short-term care incidental to hospital use.

VINEYARD - A plantation or farmland devoted to cultivating grape-bearing vines, grown mainly for winemaking, but also for raisins, table grapes and non-alcoholic grape juice.

WAREHOUSE - A building used primarily for the storage of goods and materials other than self-storage as defined herein.

WATER SERVICE, APPROVED - The provision of a central water supply system designed and constructed to standards approved by the Town Board for municipally operated systems. Such systems may be privately owned and operated, provided that an irrevocable offer of dedication is made to the town should public operation be required due to corporate default.

WAYFINDING SYSTEM - A comprehensive and coordinated signage system that provides coherent regulatory and directional signs.

Local Law amending Article VII of Chapter 190 of Town Code

Councilwoman Hendrick moved to adopt the following Local law. The motion was seconded by Councilman Morrow. A vote was taken – All Ayes

TOWN OF ULSTER
Local Law No. 3 of 2010

A Local Law Providing for the Adoption of a New Article VII of Chapter 190 of the Town Code

Be it enacted by the Town Board of the Town of Ulster as follows:

Section I. Repeal of Current Article VII [Sections 190-26 through 190-29] of Chapter 190 of the Town Code

The current provisions of Article VII of Chapter 190 of the Code of the Town of Ulster are hereby repealed.

Section II.

A new Article VII of Chapter 190 is hereby enacted as appears in Schedule “A” attached hereto.

Section III. Severability

If any clause, sentence, paragraph, section, article or part of this Local Law shall be adjudicated in any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, article or part thereof directly involved in the controversy in which such judgment shall have been rendered, and such invalidity shall not be deemed to affect the remaining portions thereof.

Section IV. Effective Date

This Local Law shall be effective as provided by law, upon filing and acceptance by the New York State Secretary of State.

"SCHEDULE A"

ARTICLE VII

Supplementary Off-Street Parking and Loading Requirements

§ 190-26. General requirements.

- A. Applicability. All structures and land uses hereafter erected, enlarged, moved, created, changed in intensity or substantially altered shall be provided with the amount of off-street parking and loading space required by the terms of this article to meet the needs of persons occupying or using such structures or land. If a use is approved for which no parking requirement is specified, the Planning Board or Town Board, shall prescribe such standards.
- B. Areas computed as parking spaces. Areas that may be computed as the required off-street parking spaces include a garage, carport or other area available for parking other than streets, exit and entrance lanes, fire lanes or driveways. However, a driveway for one- and two-family residence may count as parking space.
- C. Location and ownership. Required parking spaces may be provided on the site or elsewhere, provided that all spaces are located within five hundred (500) feet walking distance or two hundred (200) feet for residential uses. No off-site parking spaces for nonresidential uses shall be located adjacent to an existing permitted residence. Parking spaces shall be in the same ownership as the user to which assigned or are subject to a legal right in a form approved by the Town Attorney guaranteeing that they remain available to the user. The owner and heirs and assigns shall maintain the number of spaces during the existence of the user or until such spaces are provided elsewhere.

§ 190-27. Design Standards.

- A. General. All off-street parking areas shall be in imperviously paved parking lots or courts with curbs, island separators, appropriate lighting, proper drainage and convenient pedestrian and vehicular access. The Planning Board may allow a portion of parking

areas to consist of pervious paving systems [e.g. Ecogrid or Geogrid, etc.] where it deems such systems to be practical. All parking spaces shall be marked so as to provide for safe and orderly parking. A *double striped line* closed at the aisle end; shall delineate parking stalls and parking stall widths shall be measured to the center of the *double striped lines*. Parking areas shall be designed to permit each motor vehicle to proceed to and from the parking space provided for it without requiring the moving of any other motor vehicles.

- B. Dimensions of Stalls and Aisles. The minimum dimensions of stalls and aisles shall be as follows:

Angle of Parking	Parking Stall Width (feet)	Stall Depth (feet)	Aisle One-Way (feet)	Two-Way (feet)
90°	9.0	18	Not allowed	24
60°	9.5	20.2	18	21
45°	9.5	19.6	15	18
30°	9.5	16.5	12	18
Parallel	9.5	22	12	18

Note: Stall widths for employee parking may be reduced by one-half (1/2) foot when located in a separate area from the public parking.

- C. Handicap Parking. Accessible parking spaces shall be provided for any place of public accommodation or any commercial facility, pursuant to the Americans with Disabilities Act of 1990; and shall be designed in accordance with the rules and regulations of the aforesaid Act, as amended, in accordance with the following table:

Total Parking Spaces in Lot	Required Minimum Number of Accessible Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
1,001 and over	20, plus 1 for each 100 over 1,000

Note: All such spaces shall be posted with regulatory signs conforming to the New York State Department of Transportation Manual of Uniform Traffic Control Devices restricting their use to handicapped persons and shall be laid out so as to not compel handicapped individuals to wheel or walk behind parked vehicles.

- D. Drainage and grade. All open parking areas shall be properly drained. Drainage shall meet the requirements of the Town of Ulster MS4 Regulations and/or a Stormwater Management Pollution Prevention Plan (SWPPP) approved by the Town's consulting engineer. Parking area grades should not exceed five percent (5%); parking drive grades should not exceed eight percent (8%).
- E. Access. In no case shall parking areas be designed to require or encourage cars to back into a public street in order to leave the lot. Entrances and exits to and from off-street parking areas shall be located so as to minimize interference with street traffic.

Unobstructed access to and from a suitably improved street shall be provided for all uses. Such access shall consist of at least one (1) twelve-foot lane for parking for twenty (20) or less spaces and at least two (2) twelve-foot lanes for parking for over twenty (20) spaces. Entrance and exit signs may be required. Access drives shall be paved for a distance of at least fifty (50) feet from the public roadway.

- F. Driveway separation from intersection. No entrance or exit for off-street parking area for more than four (4) spaces, nor any loading area, shall be located closer than seventy-five (75) feet from the intersection of two (2) designated streets. The minimum distance shall be increased to one hundred (100) feet from a signalized intersection or an intersection with a left-turn.
- G. Planting strips. The Planning Board may require landscaping in parking areas. The following are minimum provisions for landscaping in parking areas:
 - (1) No more than 20 parking spaces shall be permitted in a continuous row and no dimension of any parking area may exceed 200 feet without being interrupted by a landscape island having a width of not less than five (5) feet.
 - (2) Parking spaces that are parallel to a building shall be separated from the building by a planter with at least five (5) feet interior width.
- H. Screening. In general, no parking area shall be located within ten (10) feet of any side or rear property line. Parking areas shall be screened from any residence where visible. Where a lot in a business district abuts a lot in a residence district, there shall be provided along such side or rear lot line in the business district abutting a residence district a wall, fence, compact evergreen hedge or a landscape strip of trees or shrubs so designed as to form a visual screen not less than six (6) feet in height at the time of planting. Parking areas with five (5) or more spaces in a residential zone shall be screened from all property lines including any bordering roads, but screening shall not obstruct sight distance.
- I. Lighting requirements. The artificial average maintained light level within the site shall not exceed two (2) footcandles for an outdoor off-street parking areas and eight (8) footcandles elsewhere. Energy-efficient lighting, such as LED and solar lighting fixtures are encouraged.
 - (1) Lighting fixtures. All outdoor lighting shall be constructed with full shielding designed to direct the lighting downward below an imaginary horizontal plane passing through the lowest point on the fixtures from which light is emitted. When a non-residential off-street parking area is abutting residential properties, additional shielding shall be required to reduce glare so that the *light source* is not visible from nearby residences.
 - (2) Maximum permitted pole height: Total pole and fixture height should be a maximum of twenty (20) feet, measured from grade at the base. Poles, concrete bases, and fixtures should be appropriate in scale for the buildings and lot. Less height, closer spacing, and lower wattage may be required and taller poles may be considered in some situations.

- (3) **Parking lot lighting curfew:** On all non-residentially developed lots which contain a minimum of 4 parking lot light poles, parking lot lighting levels for off-street parking areas must be reduced by at least 50% of full operational levels within 30 minutes after all employees have left the premises. Lighting levels may be reduced by turning off 50% of the parking lot lights or by dimming parking lot lighting levels to no more than 50% of the levels used during business or activity hours, or by some combination thereof. Given that a certain minimum lighting level is recommended for safety and security purposes, this provision does not require parking lot lighting levels to be reduced to less than 0.2 footcandles as measured horizontally at the surface on which the light pole is mounted.

- J. **Joint facilities.** Required parking spaces, open or enclosed, may be provided in an area designated to serve two (2) or more establishments whether or not on the same lot, provided that the total number of spaces is not less than the required number for all such establishments.

§ 190-28. Schedule of off-street parking requirements.

Off street parking spaces shall be provided in accordance with the following schedule:

§ 190-28. Schedule of Off-Street Parking Regulations	
Land Use	Number of Parking Spaces Required
Adult use	1 space per 75 sf ² of GFA
Athletic field	20 per athletic field, or 1 per 2 seats, whichever is greater
Assisted living facility	1 space per dwelling unit, plus 1 space for each employee
Automotive gasoline/convenience store	1 space per 200 sf ² of GFA*, plus one per fueling station
Automotive garage and service center	1 space per 600 sf ² of GFA*, plus one per service bay
Automotive sales and service center	1 space per 5,000 sf ² of outdoor display area, plus 1 space per 600 sf ² of GFA of sales and service buildings
Banks and lending institutions	1 space per 200 sf ² of GFA
Bank, with drive thru (including ATM)	1 space per 200 sf ² GFA, plus 5 stacking spaces per service window
Bed & breakfast establishment	1 space for every guest room, plus 2 spaces for resident dwelling
Bowling alley	4 spaces per bowling lane
Bus stop/taxi stand/transport terminal	1 space per 100 sf ² of waiting room space
Carwash, full service	Stacking for 25 vehicles or 10 per approach lane, whichever is >
Carwash, self service	2 stacking spaces per washing bay, plus 2 drying spaces per bay
Catering facility	1 space for every three seats
Convenience store	1 space per 200 sf ² GFA
Day care, center for children or adult	1 space per 4 persons of maximum licensed capacity
Dormitory	1 per every 2 dormitory rooms, plus one for resident manager
Dwelling, 1-family, 2-family, 3-family	2 spaces per dwelling unit
Dwelling, manufactured home	2 spaces per dwelling unit
Dwelling, multi-family or senior unit	2 spaces per dwelling unit, plus ½ space per unit for guests
Dwelling, townhouse	2 spaces per dwelling unit, plus ½ space per unit for guests
Farm stands	1 per 250 sf ² of retail sales area
Funeral homes	1 space per 5 seats in largest chapel, plus 1 space per employee
Golf course and clubs	4 spaces for each tee
Golf driving range	2 spaces for each tee, plus 1 space per employee on largest shift
Golf, miniature	1 space for each tee, plus 1 space per employee on largest shift
Grocery store	1 space per 200 sf ² of GFA

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Health club	1 space per 200 sf ² of GFA
House of worship	1 space for every 4 seats
Home occupation	1 space for home occupation, plus 2 spaces for dwelling
Hospitals	1 space for every 3 beds
Hotels & motels	1 space per rental unit, plus 1 space for each 2 employees
Industry, Light or Heavy	1 space for each 500 sf ² of GFA or 2 per employee whichever is >
Laboratories	1 space for each 500 sf ² of GFA or 2 per employee whichever is >
Laundromat (service business)	1 space per 2 washing machines
Libraries	1 space per employee, plus 1 space per 1,000 sf ² GFA
Manufacture, small, medium, large	1 space for each 500 sf ² of GFA or 2 per employee whichever is >
Marina	1 space per 2 boat slips, plus 1 space per employee
Museums and galleries	1 space per employee, plus 1 space per 1,000 sf ² GFA
Nursing home	1.5 spaces per 1000 sf ² of GFA
Nursery, retail or wholesale	1 space for each 300 sf ² of retail sales area
Office, medical or dentist	3 spaces per doctor or dentist, plus 1 for each 2 employees
Office, professional	1 space for each 500 sf ² GFA or 2 per employee whichever is >
Places of assembly	1 space for every 3 seats
Recreation facility	1 space for each 3 persons of capacity
Restaurants/drinking establishments	1 space for every 3 seats
Restaurant - drive thru	1 space per 250 sf ² of GFA, plus 5 stacking spaces in drive-thru lane
Restaurant – take out	1 space per employee, plus 1 space per 250 sf ² GFA
Retail business	1 space per 250 sf ² of GFA
School of learning	1 per teacher, employee and classroom, plus loading areas
* GFA - Gross Floor Area - See Section 190-4. Definitions.	

§ 190-28. Schedule of Off-Street Parking Regulations	
Land Use	Number of Parking Spaces Required
Self-storage facility	1 space per 20 rental units, plus 2 for office
Service business (personal service)	1 space per 200 sf ² of GFA
Unspecified uses	As defined by Institute of Traffic Engineers - Parking Generation
Tire repair and service establishment	1 space per 600 square feet
Theaters (indoor and indoor complex)	1 space for every 3 seats
Vacation campground	1 space per campsite plus 1 space per employee
Veterinary clinic	1 space for each exam room, plus 1 space per employee
Warehouse	1 space for 700 sf ² of GFA, plus 1 space per employee
Wholesale	1 space for 700 sf ² of GFA, plus 1 space per employee
* GFA - Gross Floor Area - See Section 190-4. Definitions.	
Note: Where calculation in accordance with the foregoing list results in requiring a fractional space, any fraction less than 1/2 shall be dropped and any fraction 1/2 or more shall require one space. Where circumstances require, the Planning Board may modify the parking requirements provided in this section. For other uses that are not specifically cited above, the Planning Board shall determine the number of off-street parking spaces required using the <i>Institute of Traffic Engineers - Parking Generation 3rd Edition</i> or most current edition available at the time the Site Plan or Special Permit Application.	

§ 190-29. Off-street loading areas.

For any nonresidential use of a structure with four thousand (4,000) square feet or more of gross floor area, there shall be one (1) loading area reserved exclusively for that purpose. Up to twenty-four (24) feet of minimum loading area length may be constituted by common drive areas. The minimum requirements may be reduced where necessary, provided that there is proper circulation and traffic safety and where such change would not create future difficulties by way

of use of structures for any other use permitted by right on that site.

- A. Location and access. Unobstructed access, at least fourteen (14) feet wide to and from a street shall be provided. Such access may be combined with access to parking areas. Loading areas shall be screened from residential districts.
- B. Joint facilities. Permitted or required loading areas, open or enclosed, may be provided in spaces designated to serve two (2) or more adjacent establishments, provided that the total number of required areas is not less than the aggregate of all such requirements.
- C. Access near street intersections. No entrance or exit from a loading area shall be closer than seventy-five (75) feet to where two (2) streets intersect or one hundred (100) feet if signalized or contains a left turn lane on the same street as the proposed loading area site entrance.

§ 190-29.1. Reduction of parking requirements.

- A. Reduction of parking requirements. The Planning Board or Town Board, upon the receipt of an *off-street parking study* prepared by a qualified traffic engineer or transportation planner and the review and recommendations of the Town Planner or Consulting Traffic Engineer, may grant a conditional reduction of the total number of required off-street parking spaces subject to the following conditions:

(1) The *off-street parking study* demonstrates that:

- (a) The required number of parking spaces exceed the actual peak parking hour demand by more than ten percent (10%) and that such reduction would not induce parking on a public street or result in traffic congestion. In this case, the Planning Board or Town Board may reduce the total number of required parking spaces by 10%; or
- (b) The operating schedules of two or more proposed uses are such that a parking lot may be shared by such uses that will be generating a demand for parking spaces primarily during periods when the other use or uses is not or are not in operation. In this case, the Planning Board or Town Board may reduce the total parking spaces required for that use with the least requirement by up to fifty percent (50%).

(2) Conditions of parking reduction approval.

- (a) The site plan shall designate an area or areas sufficient to accommodate the total number of required off-street parking spaces should it be determined that additional off-street parking spaces based upon actual use. The plan shall illustrate the layout for the total number of off-street parking spaces and the layout with the proposed reserved off-street parking spaces.
- (b) Where it is determined the reserved off-street parking spaces are necessary, due to traffic congestion or overflow parking, the owner within three (3) months notice

from the Town Building Department shall provide such spaces.

§ 190-29.2. Parking Lot Design Standards.

The Planning Board is authorized to adopt regulations providing for standards used in the design of parking areas including striping of stalls; provision of vehicle stops and control movements and specifications for the surfacing of parking spaces. These regulations are subject to Town Board approval.

Local Law Providing for the Adoption of New Section 190-69 of the Town Code (Summary of Permitted Uses (By Zoning District))

Councilwoman Hendrick moved to adopt the following local law. The motion was seconded by Councilman

A Local Law Providing for the Adoption of a New Section 190-69:
"Summary of Permitted Uses (By Zoning District)" of Chapter 190 of the Town Code

Be it enacted by the Town Board of the Town of Ulster as follows:

Section I. Repeal of Current Section 190-68 "Summary of Permitted Uses (By Zoning District)" of Chapter 190 of the Town Code

The current provisions of Section 190-68 "Summary of Permitted Uses (By Zoning District)" and "Table of Lot and Bulk Requirements" of Chapter 190 of the Code of the Town of Ulster are hereby repealed.

Section II. A new Section 190-69 of Chapter 190 to be entitled "Table of Use Regulations" and "Table of Lot and Bulk Requirements" is hereby enacted as appears in Schedule "A" attached hereto.

Section III. Severability

If any clause, sentence, paragraph, section, article or part of this Local Law shall be adjudicated in any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, article or part thereof directly involved in the controversy in which such judgment shall have been rendered, and such invalidity shall not be deemed to affect the remaining portions thereof.

Section IV. Effective Date

This Local Law shall be effective as provided by law, upon filing and acceptance by the New York State Secretary of State.

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§190-69 ZONING §190-69 Town of Ulster, New York Table of Lot and Bulk Requirements									
Zoning District	MIN. Lot Requirements			MIN Setback Requirements			Max.	Max.	Minimum
	Minimum Area (square feet)	Minimum Width (feet)	Lot Area Per Dwelling (square feet)	Front (feet)	Side (feet)	Rear (feet)	Bldg. Height (feet)	Bldg. Lot Coverage (percent)	Green Space (percent)
<i>R-60 Residential</i>									
	60,000	120	60,000	40	30	30	35	N.A.	40
<i>R-30 Residential</i>									
(1) Central water or sewer	30,000	100	30,000	30	20	25	35	N.A.	25
(2) No central water or sewer	40,000	100	40,000	30	20	25	35	N.A.	25
<i>R-10 Residential</i>									
(1) Municipal water & sewer	10,000	75	10,000	30	10	15	35	N.A.	15
(2) Central water & sewer	15,000	90	15,000	30	15	15	35	N.A.	15
(3) Central water or sewer	20,000	100	20,000	30	15	15	35	N.A.	15
(4) No central water or sewer	40,000	100	40,000	30	20	25	35	N.A.	25
<i>Local Commercial</i>									
	N.A.	N.A.	Same as R-10	30	10	10	35	50	5
<i>Highway Commercial</i>									
	N.A.	N.A.	Same as R-10	30	10	10	60	50	5
<i>Regional Commercial</i>									
	N.A.	N.A.	Same as R-10	50	10	10	60	50	5
<i>Office & Manufacturing</i>									
	N.A.	N.A.	Same as R-10	40	10	10	75	50	10
<i>Industrial</i>									
	N.A.	N.A.	N.A.	75	50	50	60	50	10
Notes: N.A. = not applicable									

§190-69 ZONING §190-69 Town of Ulster, New York Table of Use Regulations									
	R-60	R-30	R-10	LC	HC	RC	OM	I	Notes
A. Agricultural uses									
Agricultural operations	R	R	R	R	R	R	R	R	
Farming operations	R	R		R	R	R	R	R	
Forestry operations	S				S	S	S	S	See §190-25 E
Horse stables	S					S	S		
Livestock keeping (commercial)	R						R		
Riding academies	S					S	S		
Vineyard	S					S	S	S	
B. Residential uses									

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Assisted living facility	S			S	S	S	S		
Bed & breakfast establishment	S	S	S	S	S				See §190-25 J
Dwelling, 1-family (detached)	R(E)	R(E)	R(E)	R(E)	R(E)	R(E)	R(E)	R(E)	
Dwelling, 2-family (duplex)	R(E)	R(E)	R(E)	S	S	S	S		
Dwelling, 3 family (triplex)	R	R	R						
Dwelling, multi-family (4 or more units)	S					S	S		See §190-25 F
Dwelling, residence above the store				S	S	S	S		
Dwelling, townhouse (1-family attached)	S	S	S						
Group Home	S	S	S						
Manufactured homes (single-family)	S						S		See §190-25 A
Manufactured home parks	S	S	S				S		See §190-25 H
Nursing homes				S	S	S	S		
Senior citizen housing	S	S	S	-					See §190-25 I
C. General Community Facilities									
Cemeteries	S	S	S				S	S	
College or university	S	S	S	S	S	S	S		
Conservation preserves	R	R	R	R	R	R	R		
Country clubs	R	R	R	R	R	R	R		
Eleemosynary	R	R	R	R	R	R	R		
Golf course and clubs	R	R	R	R	R	R	R		
Government buildings	S	S	S	S	R	R	R		
Home occupation	R(E)	R(E)	R(E)						See §190-25.1
Hospitals				R	R	R	R		
House of worship	S	S	S	R	R	R	R		
Library	S	S	R	R	R	R	R		
Museums and galleries					R	R	R	-	
Places of assembly				S	S	S	S	-	
Recreation facility	S	S	S		S	S	S	-	
School of learning	S	S	S	S	S	S	S		
D. Business Uses									
Adult Business							S		See §190-16.1
Automotive garage and service center				S	R	R	R	R	
Automotive gasoline sales/convenience store				S	R	R	R		
Automotive sales and service				S	R	R	S		
Banks and lending institutions				R	R	R	R		
Bowling alleys					R	R	R		
Cafeterias & catering facilities				R	R	R	R		
Campground	S				S	S	S		
Carwash				-	R	R	R		
Convenience store				R	R	R			
Day care, adult					R	R	R		
Day care, center for children	R	R	R	R	R	R	R		
Farmers market				R	R	R			
Funeral homes	S	-	-	S	R	R	R		
Health club				R	R	R	R		
Hotels & motels					S	S	S		See §190-25 C
Kennel	S			S	S	R	R		
Laboratories				R	R	R	R	R	
Nursery, retail				R	R	R	R	R	
Nursery schools	S	S	S	S	S	S	S		
Nursery, wholesale	R			R	R	R	R	R	
Office complex				S	R	R	R		
Office, medical or dentist				R	R	R	R		
Office, professional				R	R	R	R		
Pet boarding facilities				R	R	R	R		

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Pet grooming facilities				R	R	R	R		
Restaurant and eating & drinking establishments				R	R	R	R		
Restaurant within office complex						R	R		
Retail business				R	R	R	R		
Service business				R	R	R	R		
Shopping centers					R	R	R		
Sound Stage					R	R	S		
Theaters (indoor)				S	R	R		-	
Theaters (indoor with complex)						R	R	-	
Veterinarian clinics	S			R	R	R	R	R	
E. Industrial Uses									
Airports and air facilities							S		
Contractors storage yard					S	S	S	R	
Excavation and processing, commercial	-						S	S	See §190-25 D
Industry, light				S	S	R	R	R	
Industry, heavy								R	
Industrial park							R	R	
Junkyards							S	S	See §190-25 G
Manufacture, small (1-9 employees)				S	S	R	R	R	
Manufacture, medium (10-40 employees)					S	S	R	R	
Manufacture, large (41 employees and up)						S	R	R	
Marinas and boat repair	S	S	S	R			R		
Mining	-				S	S	S	S	
Recycling yards							S	S	
Research office complex (w/ limited manufacturing)						R	R	R	R
Self-storage facility						R	R	R	R
Trucking companies						S	S	S	S
Utility company structure	S	S	S	S	R	R	R	R	
Warehouses						R	R	R	R
Wholesale business				R	R	R	R	R	
F. Customary Accessory Uses									
In residential zoning districts									See §190-14 A
In non-residential zoning districts									See §190-14 B
Swimming pools									See §190-25 B
									& Chapter 165
R - Use permitted by right (site plan approval required)									
R (E) - Use permitted by right (exempt from site plan approval)									
S - Use requiring a special use permit and site plan approval									

Resolution Determining Significance under SEQRA with Respect to Amendments of the Zoning Code

Councilman Morrow moved to the following:

NEGATIVE DECLARATION UNDER SEQRA

RESOLUTION DETERMINING SIGNIFICANCE UNDER SEQRA WITH RESPECT TO AMENDMENTS OF THE ZONING CODE

ULSTER TOWN BOARD WORKSHOP

JULY 15, 2010 AT 7:00 PM

WHEREAS, the Town Board of the Town of Ulster ("Town Board") heretofore adopted a Zoning Code under the authority of the NY Town Law 9 261, which Zoning Code appears as Chapter 190 of the Town Code of the Town of Ulster (the "Town Code"); and

WHEREAS, the Town Board has determined that revisions to its Zoning Code are desirable, necessary and consistent with the recommendations contained in its recently adopted Comprehensive Plan; and

WHEREAS, the Town prepared a Full Environmental Assessment Form ("EAF") for the proposed action, which EAF has been fully reviewed by the Town Board; and

WHEREAS, upon review of the Application, the Town Board, which declared itself to be lead agency under SEQRA, determined that the proposed action is subject to the State Environmental Quality Review Act (ECL, Article 8) and its implementing regulations (6 NYCRR Part 617) (collectively, "SEQRA"); and

WHEREAS, the Town Board compared the EAF to the thresholds for classifying this action as set forth in 6 NYCRR 99 617.4 and determined that the project constitutes a Type 1 action pursuant to SEQRA; and

WHEREAS, the proposed action was referred to the Ulster County Planning Board pursuant to Section 239-m of the General Municipal Law; and

WHEREAS, by correspondence dated May 5, 2010 and June 2, 2010, the County Planning Board outlined several required modifications; and

WHEREAS, upon careful review of the required modifications recommended by the Ulster County Planning Board, the Town Board determined that the UCPB recommended revisions - while generally consistent with present policies employed by the Planning Board and Town Board - are too rigid to incorporate into Law and are better applied as general policies; and

NOW, THEREFORE BE IT RESOLVED that, pursuant to SEQRA, the Town Board of the Town of Ulster, based upon its review of the EAF makes the determinations set forth below; and be it

FURTHER RESOLVED the Town Board determines that according to its review of the EAF, including the expanded Part 3 thereof, there will be no significant adverse impacts on the environment as measured against the criteria for determining significance under 6 NY CRR 9 617.7 (c); and be it

FURTHER RESOLVED, the Town Board does hereby override the County Planning Board required modifications as presented in their correspondence dated May 5, 2010 and June 2, 2010; and be it

FURTHER RESOLVED, that the findings made by the Town Board under its SEQRA review of the Zoning Code amendments adopted under Local Laws No.2, No. 3 and No . 4 of 2010 are not significantly altered by the action herein taken; and be it

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FURTHER RESOLVED, this resolution is a Negative Declaration under SEQRA and the information required by 6 NYCRR 9 617.12(a) is attached hereto and incorporated herein; and be it

FURTHER RESOLVED, the Town Board hereby directs the Secretary to the Board to file a copy of this resolution with (a) the Supervisor of the Town of Ulster, (b) the lead agency, and (c) any person who has requested a copy; and be it

FURTHER RESOLVED, that the Town Clerk publish a copy of the Negative Declaration attached to the resolution in the Environmental Notice Bulletin as required by 6 NYCRR 9 617.12(c).

FURTHER RESOLVED, that this resolution shall take effect immediately.

NEGATIVE DECLARATION

The Lead Agency:

TOWN OF ULSTER TOWN BOARD

1 Town Hall Drive
Lake Katrine, N.Y. 12449

Contact Person:

James E. Quigley 3rd, Supervisor
Town of Ulster Town Board
1 Town Hall Drive
Lake Katrine, N.Y. 12449

Telephone Number: (845) 382-2765

A Description of the Action:

The proposed action consists of a series of Zoning Text Amendments contained in Local Laws No. 2, No. 3 and Local Law No. 4 of 2010. The proposed action will repeal and replace Article II - Terminology [Sections 190-3 & 190-4] and Article VII [Sections 190- 26 through 190-29] of Chapter 190 of the Code of the Town of Ulster.

SEORA Classification: Type 1.

The Potential Environmental Impacts:

No potential significant environmental impacts are present and an environmental impact statement will not be prepared.

The Location of the Action:

ULSTER TOWN BOARD WORKSHOP
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Town of Ulster, Ulster County, New York

2nd by Councilman Brink
All Ayes

Councilman Morrow motioned to approve the following:

RESOLUTION SEEKING REMOVAL OF PROPERTY FROM TAX ROLLS

WHEREAS, on June 17, 2010, the Town Board of the Town of Ulster approved a resolution which duly authorized the Town Supervisor to enter into a contract of sale on behalf of the Town of Ulster, to purchase the real property located at 1 Costanzi Drive, Lake Katrine, NY 12449, identified as Ulster County SBL 39.81-1-10.150 ("property"); and

WHEREAS, this property was to be purchased for the benefit and use of the Ulster Water District; and

WHEREAS, closing of title in this matter occurred on July 7, 2010, and the property is now titled to the Town of Ulster, for the benefit and use of the Ulster Water District; and

WHEREAS, Real Property Tax Law § 406(1) provides that real property owned by a municipal corporation within its corporate limits held for a public use shall be exempt from taxation and exempt from special ad valorem levies and special assessments; and, therefore, be it

RESOLVED, that the Town Board of the Town of Ulster authorize the Town Supervisor to draft a letter to the County of Ulster and the Kingston City School District, requesting that the real property identified as Ulster County SBL 39.81-1-10.150, now titled to the Town of Ulster, be removed from their respective tax rolls, and that the property be marked "exempt" from payment of the 2010-11 school tax bill.

2nd by Councilman Hendrick
All Ayes

Schedule Public Hearing Regarding Proposed Cable Television Franchise Renewal Agreement

Councilman Kitchen moved to set a public hearing for the proposed cable television franchise agreement for August 5, 2010 at 7:15 PM

2nd by Councilman Brink
All Ayes

Motion to approve the hire of one seasonal employee for Park and Recreation Programs

Councilman Kitchen moved to hire Andrea Clausi as a seasonal recreational specialist at \$10.00 an hour, effective July 15, 2010.

2nd by Councilwoman Hendrick
All Ayes

Motion Authorizing the Purchase of a Truck and Truck Body for the Sewer Department

Councilman Morrow moved to purchase a truck off the NYS bid list from Bortel Ford in the amount of \$27,541.95 for the Ulster Sewer Department and purchase from Hudson River Truck & Trailer Inc. in the amount of \$7,978.00 for one Stahl CST110CVDT48.5 for a total of \$35,519.95
2nd by Councilman Kitchen
All Ayes

Motion to hire a summer intern to perform Budget Analysis for a 10 week period

Councilman Kitchen moved to hire Patrick Ryan at \$10.00 an hour effective immediately to perform budget analysis services as a seasonal intern.
2nd by Councilman Morrow
All Ayes

Public Hearing for Local Law Providing for the Adoption of a New Chapter 131 of the Town Code [Peddling & Soliciting]

Supervisor Quigley called the public hearing to order at 7:17 PM

Town Attorney Jason Kovacs gave an overview of the revised peddling law to update.

Mr. Robert Barton inquired about peddlers peddling after hours and how to check to see if they have a license.
Supervisor Quigley suggested calling the police.

Mr. Richard Metzger inquired about civic or non profit organizations.
Town Clerk Cosenza stated that they are exempt.

Councilman Kitchen moved to close the public hearing at 7:24 PM
2nd by Councilwoman Hendrick
All Ayes

Hire a Temporary Worker for the Town Clerk's Office

Councilman Kitchen moved to hire Becky Vogt as a temporary worker for the Town Clerk's Office at \$10.00 an hour effective July 19, 2010.
2nd by Councilwoman Hendrick
All Ayes

7:30 – A Local Law Providing for the Adoption of a New Chapter 61 of the Town Code [Building Construction and Fire Prevention]

Supervisor Quigley opened the public hearing at 7:30 PM

Town Attorney Jason Kovacs gave an overview of the proposed revised law with some light discussion with the Town Board.

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JULY 15, 2010 AT 7:00 PM

Councilman Kitchen moved to close the public hearing at 7:33 PM
2nd by Councilman Brink
All Ayes

Local Law to Adopt the 2010 Retirement Incentive Program - Part A

Councilman Kitchen moved to set a public hearing for July 27, 2010 at 7 PM to review the proposed 2010 retirement Incentive Program Law
2nd by Councilman Hendrick
All Ayes

Resolution for the Towns Adoption of Town of Ulster Retirement Incentive

Councilman Brink moved to approve the following:

RESOLUTION CREATING A TOWN OF ULSTER LOCAL RETIREMENT INCENTIVE

WHEREAS, the Town wishes to provide a retirement incentive to employees of the Town who are vested and eligible to retire pursuant to the rules of the New York State Employees' Retirement System (ERS), or the New York State Policeman's & Firemen's System (P&F), no later than December 31, 2010, and

WHEREAS, the Town Board believes that a retirement incentive will both compensate long time employees and save on employee salary and benefit expenses; now, therefore, be it RESOLVED, that the Town hereby establishes a Retirement Incentive Policy for 2010 as follows:

Town employees who are vested and eligible to retire pursuant to the rules of the New York State Employees' Retirement System (ERS), or the New York State Policeman's & Firemen's System (P&F), no later than December 31, 2010, may elect to receive an incentive payment of \$15,000; and be it further

RESOLVED, that the Retirement Incentive is available to those employees meeting the criteria identified herein, and who retire from Town service effective on or before September 30, 2010; and be it further

RESOLVED, that employees seeking to take advantage of the incentive must file retirement papers with the New York State Retirement System, provide written notice to the Town Supervisor by August 31, 2010, and retire from Town service by September 30, 2010; and be it further

RESOLVED, that notice provided to the Town under this program may not be rescinded and that the program will not add any additional time of service for New York State Retirement System purposes; and be it further RESOLVED, provided that the Town subsequently receives written confirmation from the ERS or the P&F that the employee has in fact retired from public service pursuant to the rules of the ERS or P&F, an incentive payment of \$15,000.00 will be made to the eligible full-time employee upon the Town's receipt of such written confirmation; and be it further

ULSTER TOWN BOARD WORKSHOP
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RESOLVED, that the Town may not rehire any employee who participates in the Retirement Incentive Program prior to April 1, 2014. If the Town rehires an employee during the period from the date of retirement through April 1, 2014, he/she will have to reimburse the Town for the full amount of the Retirement Incentive Program payment prior to commencement of the reemployment. No employees who participate in the Retirement Incentive Program may be hired as a consultant or independent contractor without the written consent of the Town of Ulster Town Board prior to April 1, 2014.

2nd by Councilman Morrow
All Ayes

Public Comment:

Mrs. Rosalind Stark read the newspaper article about the town being sued by Eddyville Corp and stated she is in favor of the 2004 law that prevented mining in Eddyville due to the environmental and economic hardship that would be suffered by the residents who live in the area.

Mr. Robert Barton stated he is not in favor of mining in the area due to cumulative effects of blasting in the area.

Mr. Richard Metzger inquired about the proposed Sailor Cove project that covers part of the Town of Ulster.
Supervisor Quigley stated that the town is still in discussion about them about installing a water tower for East Kingston.

Councilman Kitchen moved to enter into executive session at 7:53 PM to discuss the following items:

Finch v. Berardi
Eddyville Corp. v. Town of Ulster
2nd by Councilman Brink
All Ayes

Session began at 8 PM with Town Assessor James Maloney present. Assessor Maloney left the session at 8:20 PM. Executive session ended at 8:25 PM.

Councilwoman Hendrick motioned to adjourn the meeting at 8:26 PM

2nd by Councilman Kitchen
Four Ayes - Supervisor Quigley was absent

Respectfully submitted by
Jason Cosenza, RMC FHCO
Ulster Town Clerk